United Nations S/2010/49

Security Council

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France, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous resolutions and statements of its President concerning the situation in Somalia,

Recalling its resolutions 1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, 1325 (2000), 1820 (2008), 1888 (2009) and 1889 (2009) on women and peace and security, and 1612 (2005) and 1882 (2009) on children and armed conflict,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia,

Reiterating its full support for the Djibouti Peace Process, which provides the framework for reaching a lasting political solution in Somalia, *expressing* its support for the Transitional Federal Charter, *recognizing* the need to promote reconciliation and dialogue among the Somali population and *stressing* the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all,

Commending the contribution of the African Union Mission to Somalia (AMISOM) to lasting peace and stability in Somalia, *expressing* its appreciation for the continued commitment of troops and equipment to AMISOM by the Governments of Uganda and Burundi, and *condemning* any hostilities towards AMISOM and the Transitional Federal Government,

Commending the Special Representative of the Secretary-General, Mr. Ahmedou Ould-Abdallah, and *reaffirming* its strong support for his efforts,

Welcoming the communiqué of the 214th meeting of the African Union Peace and Security Council of 8 January 2010, which renewed the mandate of AMISOM for an additional period of twelve months,

Reaffirming the importance of the re-establishment, training, equipping and retention of Somali security forces, which is vital for the long-term stability of Somalia, and *emphasizing* the importance of coordinated, timely and sustained support from the international community,

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Strongly encouraging the prompt disbursement of funds pledged in support of the Somali security institutions and AMISOM at the International Conference on Somalia held in Brussels on 23 April 2009, and *recognizing* the importance of timely and predictable funding for the Transitional Federal Government and AMISOM,

Reiterating its serious concern at the continued fighting in Somalia, and *reaffirming* its support for the Transitional Federal Government,

Condemning the terrorist attacks on the Transitional Federal Government, AMISOM and the civilian population by armed groups and foreign fighters who undermine peace and stability in Somalia, particularly Al Shabaab, and *stressing* the terrorist threat that Somali armed groups, in particular Al Shabaab, constitute for Somalia and for the international community,

Emphasizing the importance of effective public information and communications operations to support the Transitional Federal Government and AMISOM and consolidate the political process, and *expressing* its serious concern at the continued attacks against journalists,

Reiterating its serious concern at the worsening humanitarian situation in Somalia, strongly *condemning* the targeting and obstruction of the delivery of humanitarian aid by armed groups in Somalia, which has prevented the delivery of such aid in some areas, *deploring* the repeated attacks on humanitarian personnel, *expressing* its condemnation in the strongest terms of all acts of violence or abuses committed against civilians and humanitarian personnel, in violation of international humanitarian law and human rights law, and *reaffirming* the importance of the fight against impunity,

Expressing its concern at the significant decline in humanitarian funding for Somalia and *calling on* all Member States to contribute to current and future consolidated humanitarian appeals,

Condemning all and any violations of human rights and international humanitarian and human rights law, *stressing* the responsibility of all parties in Somalia to respect fully their obligations in this regard and to take appropriate measures to protect civilians, including women and children, and *recalling* the conclusions of the Security Council working group on Children and Armed Conflict pertaining to parties in the armed conflict of Somalia (S/AC.51/2008/14),

Recalling its resolution 1897 (2009), *recognizing* that the ongoing instability in Somalia contributes to the problem of piracy and armed robbery at sea off the coast of Somalia, *stressing* the need for a comprehensive response to tackle piracy and its underlying causes, by the international community, including through the training of the Somali coastguard, and *welcoming* the efforts of the Contact Group for Piracy off the Coast of Somalia, States and international and regional organizations,

Welcoming the Secretary-General's report dated 31 December 2009 (S/2009/684), and its recommendations for continued action on the political, security and recovery tracks by the Transitional Federal Government with the support of the international community,

Determining that the situation in Somalia constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to authorize the Member States of the African Union to maintain AMISOM until 31 January 2011, which shall be authorized to take all necessary measures to carry out its existing mandate as set out in paragraph 9 of resolution 1772 (2007);

2. *Requests* the African Union to maintain AMISOM's deployment in Somalia and to increase its force strength with a view to achieving AMISOM's originally mandated strength of 8,000 troops, thereby enhancing its ability to carry out its mandate in full;

3. *Requests* AMISOM to continue to assist the Transitional Federal Government in the development of the Somali Police Force and the National Security Force, and to assist the integration of Somali units trained by other member States or organizations inside and outside Somalia;

4. *Requests* the Secretary-General to continue to provide a logistical support package for AMISOM called for by resolution 1863 (2009), comprising equipment and services, including public information support, but not including the transfer of funds, as described in the Secretary-General's letter (S/2009/60) to the Security Council until 31 January 2011, ensuring the accountability and transparency of expenditure of United Nations funds;

5. *Encourages* Member States to support AMISOM and the Somali Security Sector Institutions through the provision of appropriate and necessary equipment;

6. *Requests* AMISOM to ensure that all equipment and services provided under the support package are used in a transparent and effective manner for their designated purposes, and *further requests* the African Union to report to the Secretary-General on the usage of such equipment and services in accordance with the Memorandum of Understanding established between the United Nations and the African Union;

7. *Requests* the Secretary-General to continue to provide technical and expert advice to the African Union in the planning and deployment of AMISOM through the existing United Nations planning team in Addis Ababa;

8. *Urges* Member States and regional and international organizations to contribute generously and promptly to the United Nations Trust Fund for AMISOM, or to make direct bilateral donations in support of AMISOM, and *encourages* donors to work closely with the United Nations and African Union in order to ensure that the appropriate funds and equipment are promptly provided, particularly in relation to the salaries of AMISOM soldiers and the costs of contingent-owned equipment;

9. *Recalls* its statement of intent regarding the establishment of a United Nations peacekeeping operation as expressed in resolution 1863 (2009), and *notes* that any decision to deploy such an operation would take into account inter alia the conditions set out in the Secretary-General's report dated 16 April 2009 (S/2009/210), and *requests* the Secretary-General to take the steps identified in paragraphs 82-86 of his report (S/2009/210), subject to the conditions in this report;

10. *Emphasizes* that Somalia's long-term security rests with the effective development by the Transitional Federal Government of the National Security Force

and the Somali Police Force, in the framework of the Djibouti Agreement and in line with a national security strategy;

11. *Urges* Member States, regional and international organizations to contribute generously and promptly to the United Nations Trust Fund for the Somali security institutions, and to offer assistance to the Somali security forces, including through training and equipment in coordination with AMISOM, consistent with paragraphs 11 (b) and 12 of resolution 1772 (2007);

12. *Requests* the Secretary-General to continue to assist the Transitional Federal Government in developing the transitional security institutions, including the Somali Police Force, and the National Security Force, and to continue to support the Transitional Federal Government in developing a national security strategy, which reflects respect for the rule of law and the protection of human rights, including plans for disarmament, demobilization and reintegration (DDR), justice and corrections capacities, as well as the legal and policy framework for the operation of its security forces including governance, vetting and oversight mechanisms;

13. *Reaffirms* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to supplies and technical assistance provided in accordance with paragraph 11 (b) and 12 of resolution 1772 (2007) to the Transitional Federal Government for the purposes of the development of its security sector institutions, consistent with the Djibouti peace process and subject to the notification procedure set out in paragraph 12 of resolution 1772 (2007);

14. *Reiterates* its call on all Somali parties to support the Djibouti Agreement, and calls for the end of all hostilities, acts of armed confrontation and efforts to undermine the Transitional Federal Government;

15. *Welcomes* the efforts of the Transitional Federal Government on reconciliation, *urges* the Transitional Federal Government to continue and strengthen these efforts in the framework of the Djibouti Agreement with all groups willing to cooperate and ready to renounce violence, and *requests* the Secretary-General, through his Special Representative for Somalia, to continue to work with the international community to facilitate reconciliation;

16. *Calls* for the immediate cessation of all acts of violence or abuses committed against civilians and humanitarian personnel in violation of international humanitarian law and human rights law;

17. *Calls on* all parties and armed groups to take appropriate steps to ensure the safety and security of humanitarian personnel and supplies, and demands that all parties ensure full, safe and unhindered access for the timely delivery of humanitarian aid to persons in need of assistance across the country;

18. *Requests* the Secretary-General, through his Special Representative for Somalia and the United Nations Political Office for Somalia (UNPOS), to redouble their efforts to coordinate effectively and develop an integrated approach to all activities of the United Nations system in Somalia, to provide good offices and political support for the efforts to establish lasting peace and stability in Somalia, and to mobilize resources and support from the international community for both the

immediate recovery and long-term economic development of Somalia taking into account the recommendations contained in his report (S/2009/684);

19. *Calls on* the Transitional Federal Government to take every appropriate measure to improve security conditions in Somalia and *requests* the Secretary-General to expedite the proposed deployment of elements of UNPOS and other United Nations offices and agencies, including the United Nations Support Office for AMISOM (UNSOA), to Mogadishu consistent with the security conditions, as outlined in his report (S/2009/210);

20. *Requests* the Secretary-General to report on all aspects of this resolution every four months commencing 1 January and *expresses* its intention to review the situation, as part of his reporting obligations, as specified in the statement of the President of the Security Council of 31 October 2001 (S/PRST/2001/30) and Security Council resolution 1872 (2009);

21. *Decides* to remain actively seized of the matter.